

From: Eric Wood
To: Microsoft ATR
Date: 12/7/01 6:24pm
Subject: Microsoft Settlement

Having read articles about the proposed settlement, it is my firm opinion that Microsoft is trying to not only get away with a massive crime with hardly any cost to itself, but to further extend its monopolistic power in the software market!

The idea of this company giving outdated hardware and free copies of software that cost pennies to produce in order to avoid paying a larger sum from its nearly infinite store of cash is absurd. The best remedy is to force them to, at the very least, include options to remove MSN Messenger, MSN Explorer and Internet Explorer from the Windows XP operating system. Splitting the company up would be even better, as it keeps them from simply replacing every third party software option from their platform, since the platform would no longer belong to those making the afore mentioned software programs.

The second main problem I have with the proposed settlement is the included attack upon open-source software. Microsoft has made a habit of inventing replacements for open standards, and making sure no competitor can use those replacements. In the case of open-source software, I quote from an article by Robert X. Cringely, published online at:
<http://www.pbs.org/cringely/pulpit/pulpit20011206.html>

And I quote,

"The biggest competitor to Microsoft Internet Information Server is Apache, which comes from the Apache Foundation, a not-for-profit. Apache practically rules the Net, along with Sendmail, and Perl, both of which also come from non-profits. Yet not-for-profit organizations have no rights at all under the proposed settlement. It is as though they don't even exist.

"Section III(J)(2) contains some very strong language against not-for-profits. Specifically, the language says that it need not describe nor license API, Documentation, or Communications Protocols affecting authentication and authorization to companies that don't meet Microsoft's criteria as a business: '...(c) meets reasonable, objective standards established by Microsoft for certifying the authenticity and viability of its business, ...'

"So much for SAMBA and other Open Source projects that use Microsoft calls. The settlement gives Microsoft the right to effectively kill these products."

This directly affects the software I use on a daily basis. Without

something like SAMBA, I would have no access to a network with Windows computers. The settlement even attacks the government of this nation. I quote from the same source:

"Section III(D) takes this disturbing trend even further. It deals with disclosure of information regarding the APIs for incorporating non-Microsoft 'middleware.' In this section, Microsoft discloses to Independent Software Vendors (ISVs), Independent Hardware Vendors (IHVs), Internet Access Providers (IAPs), Internet Content Providers (ICPs), and Original Equipment Manufacturers (OEMs) the information needed to inter-operate with Windows at this level. Yet, when we look in the footnotes at the legal definitions for these outfits, we find the definitions specify commercial concerns only.

"But wait, there's more! Under this deal, the government is shut out, too. NASA, the national laboratories, the military, the National Institute of Standards and Technology -- even the Department of Justice itself -- have no rights. It is a good thing Afghanistan is such a low-tech adversary and that B-52s don't run Windows.

"I know, I know. The government buys commercial software and uses contractors who make profits. Open Source software is sold for profit by outfits like Red Hat. It is easy to argue that I am being a bit shrill here. But I know the way Microsoft thinks. They probably saw this one coming months ago and have been falling all over themselves hoping to get it through. If this language gets through, MICROSOFT WILL FIND A WAY TO TAKE ADVANTAGE OF IT."

This outrageous behavior from one of the largest corporations on the planet must be shut down. Please do what you can to correct the wrongs with have been committed. You (the DOJ) were on the right path when you pushed for this company to be broken up. WHY DID YOU BACK OFF? Do not let money or whatever the cause may be stop you from administering justice. May God be with you as you consider what I have told you.

Sincerely,
Eric Wood